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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,465	09/24/2002	Hee Youn Choi	MM4515(PCT)	7655

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1251 Avenue of the Americas
New York, NY 10020

EXAMINER

ISSING, GREGORY C

ART UNIT	PAPER NUMBER
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3662

DATE MAILED: 07/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/049,465

Applicant(s)

CHOI ET AL.

Examiner

Gregory C. Issing

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-9, 11 and 12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-9, 11 and 12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other:

1. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph.
2. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter. The specification and claims are replete with grammatical errors. The entire disclosure appears to have been literally translated from a foreign language.
3. The drawings are objected to because they fail to provide numerical indications, which numerical indications should also be provided in the specification, in order to describe the figures so as to enable someone skilled in the art to make and/or use the same. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 1-4, 6-9 and 11-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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6. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claim 1 is indefinite since it fails to clearly define the subject matter. the terms “itself” and “it” are not clear. The terms “the data”, “the EEPROM”, “the Signal Hybrid/Processor” and “the location signal” lack proper antecedent bases. It is not clear what the term “Signal/Hybrid Processor” means with respect to the slash (/). The language “use it in a local or in a network as database” is not understood. The best interpretation of the claim by the Examiner is as follows: a method wherein a GPS signal is received via a receiver and a determined position is coupled to a memory via a processor and the determined position can be viewed locally at the combined GPS/cellular phone or remotely via transmission by the cellular phone. The same problems are present in claim 6.

Claims 2 and 7 are indefinite since it fails to clearly set forth the metes and bounds of the subject matter. It is not clear if this is supposed to be a dependent claim or not since the term “hybrid” makes no sense in itself with respect to the claim as now presented. As best understood for the sake of application of the prior art, the Examiner construes the scope of the claim to being dependent upon claims 1 and 6 respectively and providing the ability to process own and other devices information in a coordinated manner, such as providing the display with each of the user device’s location and another user’s location and tracking each’s movement thereon. Additionally, the scope of claims 2 and 7 reads on the external devices being the GPS satellites.

The claims 3-4, 8-9, 11 and 12 are so indefinite in language and in scope that a search is not possible. The claims fail to distinctly set forth with any degree of particularity that which the

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applicants regard as the invention. The claims are also grammatically improper. Additionally, it cannot be determined if in fact there are plural inventions being claimed. In the applicant's response, all of the claims should be directed to a single invention, otherwise a restriction requirement may be required.

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 2, 6 and 7 are rejected under 35 U.S.C. 102(a) as being anticipated by Obradovich et al.

Obradovich et al disclose the claimed method and system as best understood.

Obradovich et al disclose a personal communication device (PCD) which is shown in Figure 4 as comprising a GPS receiver 243, a cellular telephone 29C, a processor, storage means 22, 23 and a display 28A. Figure 2 shows the device including a display of GPS coordinates (GPS location 107), a button 27J for sending the GPS coordinates, and a PIN button for authorization. Figure 11 shows the display of a third party on the device display who position was received by the device. The device is disclosed for use as authorization for business transactions. The processor/storage is inherently digital and thus the signals from the GPS receiver are inherently downconverted in the conventional manner to baseband.

9. Claims 1, 2, 6, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Boehm et al.

Boehm et al disclose in Figure 1 a combined GPS/GSM receiver which shares components and includes receiving a GPS signal via an antenna, receiver processing including filtering and downconversion, a baseband processor and a display. Each of the baseband processor and display inherently incorporate memory in order to operate.

10. Claims 1, 2, 6, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Durboraw, III.

Durboraw, III discloses the claimed subjectmatter as best understood including a combined GPS and cellular/PCS device which provides the subscriber unit with its position as a primary output of the GPS receiver. Additionally, it transmits the location to a remote site, either the communication network or other users.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mattos discloses integrated GPS-communication devices, see Figures 1-5, wherein various components are shared and thereby provide a hybrid device. Hasler discloses a combined GPS and cellular communication device. Son et al disclose a method and system for enhancing cellular/PCS with GPS.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory C. Issing whose telephone number is (703)-306-4156. The examiner can normally be reached on Mon-Thurs 6:30-5:00.

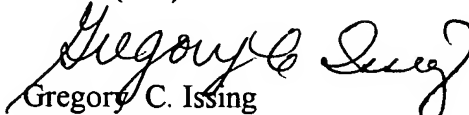
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza can be reached on (703)-306-4171. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-872-9326 for regular communications and (703) 872-9327 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.


Gregory C. Issing
Primary Examiner
Art Unit 3662

gci
June 30, 2003